

Message Text

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ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 CG-00 L-03 IO-13 ACDA-07
COME-00 INT-05 TRSE-00 FEAE-00 CEQ-01 NSF-01 PA-01
PRS-01 USIE-00 CIAE-00 INR-07 NSAE-00 INRE-00
DODE-00 SSO-00 AF-10 ARA-06 EA-07 NEA-10 DOTE-00
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-----121711Z 039283 /43

O 121630Z APR 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 2567

C O N F I D E N T I A L SECTION 01 OF 02 LONDON 05916

E.O. 11652: GDS
TAGS: TGEN XB UK PL UR
SUBJECT: ANTARCTIC TREATY: PREPARATIONS FOR CONSULTA-
TIVE MEETINGS

REF: STATE 76553

1. ON APRIL 12 EMBASSY RECEIVED INVITATION DATED APRIL
1 TO JULY AD HOC CONSULTATIVE MEETING. TEXT OF FCO NOTE
FOLLOWS. BEGIN QUOTE:

A) HER MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR
FOREIGN AND COMMONWEALTH AFFAIRS PRESENTS HIS COMPLI-
MENTS TO THE CHARGE D'AFFAIRES OF THE AMERICAN EMBASSY
AND HAS THE HONOUR TO INFORM HIM THAT. AS HOST GOVERN-
MENT TO THE IXTH ANTARCTIC TREATY CONSULTATIVE MEETING,
THE BRITISH GOVERNMENT HAS RECEIVED NOTIFICATION FROM
THE POLISH GOVERNMENT OF THEIR READINESS TO PARTICIPATE
IN THAT MEETING IN VIEW OF POLISH ACTIVITIES IN THE
ANTARCTIC.

B) THE BRITISH GOVERNMENT PROPOSES TO CONVENE A SPECIAL
CONSULTATIVE MEETING OF THE SIGNATORY STATES OF THE
ANTARCTIC TREATY IN ORDER TO CONSIDER THIS MATTER. IN
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THEIR VIEW, THE PURPOSE OF THIS MEETING WILL BE TWO-
FOLD: TO ESTABLISH A CONSENSUS BOTH ON POLAND'S STATUS
AS A CONSULTATIVE PARTY AND ON A PROCEDURE FOR REACHING
DECISIONS IN CONNECTION WITH ARTICLE IX PARAGRAPH 2 OF
THE ANTARCTIC TREATY.

C) WITHOUT PREJUDICE TO THE VIEWS WHICH MAY BE HELD BY

OTHER SIGNATORY GOVERNMENTS ON ARTICLE IX PARAGRAPH 2 OF THE ANTARCTIC TREATY AND MATTERS RELATING TO IT, HER MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS HAS THE HONOUR TO REQUEST THE CHARGE D'AFFAIRES TO TRANSMIT TO HIS GOVERNMENT AN INVITATION TO BE REPRESENTED AT A SPECIAL CONSULTATIVE MEETING OF THE SIGNATORY STATES OF THE ANTARCTIC TREATY TO BE HELD IN LONDON ON 25 JULY 1977.

D) THE SECRETARY OF STATE AVAILS HIMSELF OF THIS OPPORTUNITY TO EXPRESS TO THE CHARGE D'AFFAIRES OF THE AMERICAN EMBASSY THE ASSURANCE OF HIS HIGHEST CONSIDERATION. END QUOTE.

2. HEAP'S OFFICE HAD NOT PLANNED TO PLACE AD HOC CONSULTATIVE MEETING FORMALLY ON THE AGENDA OF THE APRIL 28 MONTHLY. THEY HAD PLANNED TO DEAL WITH IT UNDER USUAL AGENDA ITEM SEVEN OR UNDER OTHER BUSINESS. WE SUGGESTED AND THEY AGREED THAT IT MIGHT BE MORE APPROPRIATE TO HAVE IT INCLUDED AS A SEPARATE AGENDA ITEM.

3. ALTHOUGH HEAP WAS NOT AVAILABLE TO DISCUSS HIS VIEWS ON DIRECTION AD HOC CONSULTATIVE SHOULD TAKE, HIS OFFICE SAID THEY ENVISAGE THAT IT WILL CONSTITUTE ITSELF AS A SECOND PREPARATORY MEETING. THEY FEEL THERE IS SUFFICIENT INTEREST AMONG TREATY MEMBERS FOR FCO TO MAKE SUCH A PROPOSAL AT NEXT MONTHLY.

4. ACCORDING TO HEAP'S OFFICE, NO ONE HAS SUGGESTED
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ANY NEW PROCEDURAL ARRANGEMENTS FOR HANDLING OR RECOGNIZING POLAND'S REQUEST TO BECOME A CONSULTATIVE PARTY. HOWEVER, FCO LEGAL ADVISOR DAVID ANDERSON HAS AMENDED HIS PROPOSAL FIRST PUT FORWARD DURING JUNE PREPARATORY. HE WOULD APPRECIATE U.S. REACTION TO IT ASAP, BUT PREFERABLY BEFORE APRIL 28 MONTHLY. TEXT FOLLOWS.
BEGIN QUOTE:

DRAFT
PROCEDURE UNDER ARTICLE IX(2)

A) THE GOVERNMENT WHICH IS TO HOST THE NEXT CONSULTATIVE MEETING ("THE HOST GOVERNMENT") SHALL INFORM THE OTHER GOVERNMENTS ENTITLED TO BE REPRESENTED AT THE MEETING ("CONSULTATIVE PARTIES") OF ANY NOTIFICATION RECEIVED FROM A CONTRACTING PARTY WHICH CONSIDERS THAT IT IS ENTITLED IN ACCORDANCE WITH ARTICLE IX(2) OF THE ANTARCTIC TREATY TO APPOINT REPRESENTATIVES TO PARTICIPATE IN THE NEXT ANTARCTIC TREATY CONSULTATIVE MEETING.

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B) EACH CONSULTATIVE PARTY SHALL CONSIDER THE QUESTION WHETHER OR NOT THE NOTIFYING GOVERNMENT IS AT THAT TIME DEMONSTRATING ITS INTEREST IN ANTARCTICA BY CONDUCTING SUBSTANTIAL SCIENTIFIC RESEARCH ACTIVITY THERE, SUCH AS THE ESTABLISHMENT OF A SCIENTIFIC STATION OR THE DESPATCH OF A SCIENTIFIC EXPEDITION, IN ACCORDANCE WITH ARTICLE IX(2). THE CONTRACTING PARTY CONCERNED SHALL NOTIFY CONSULTATIVE PARTIES OF THE CONTENT AND OBJECTIVES OF ITS SCIENTIFIC PROGRAMMES THROUGH DIPLOMATIC CHANNELS.

C) IN ADVANCE OF THE NEXT CONSULTATIVE MEETING AND IN ANY CASE WITHIN THREE MONTHS OF RECEIVING THE NOTIFICATION BY THE CONTRACTING PARTY CONCERNED, THE HOST GOVERNMENT SHALL CONVENE A SPECIAL CONSULTATIVE MEETING OF THE CONSULTATIVE PARTIES IN ORDER TO CONSULT TOGETHER ON THE QUESTION AND TO ESTABLISH WHETHER IN THEIR VIEW THE CONTRACTING PARTY CONCERNED HAS FULFILLED THE CONDITIONS CONTAINED IN ARTICLE IX(2).

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D) A DECISION TO THE EFFECT THAT THE CONDITIONS HAVE BEEN FULFILLED REACHED AT SUCH A SPECIAL CONSULTATIVE MEETING SHALL BE APPROVED BY ALL THE REPRESENTATIVES PRESENT AT THE MEETING AND MADE PUBLIC IN THE FINAL REPORT OF THE MEETING. THE INVITATION TO ATTEND THE NEXT CONSULTATIVE MEETING WILL THEREUPON BE ISSUED BY THE HOST GOVERNMENT TO THE CONTRACTING PARTY CONCERNED AS A CONSULTATIVE PARTY.

E) THIS (ARRANGEMENT) IS WITHOUT PREJUDICE TO THE PROVISIONS OF THE ANTARCTIC TREATY. END QUOTE

5. HEAP'S OFFICE INFORMED US THAT HE VISITED OSLO, MOSCOW, LENINGRAD AND WARSAW BETWEEN MARCH 23 AND APRIL 2. UNFORTUNATELY HE HAS BEEN ON VACATION SINCE HIS RETURN. HE WILL ONLY BE IN HIS OFFICE FOR A FEW HOURS DURING MORNING APRIL 18 BEFORE HE LEAVES FOR FAO MEETING IN ROME. WE HAVE TENTATIVELY SCHEDULED MEETING WITH HIM AT 11:00 A.M. AND PLAN TO DISCUSS HIS TRIP AND OTHER QUESTIONS RAISED REFTEL. MILLER

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